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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,017	12/31/2003	Ming-Goei Sheu		9356

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GEORGE O. SAILE & ASSOCIATES  
28 DAVIS AVENUE  
POUGHKEEPSIE, NY 12603

EXAMINER

TUGBANG, ANTHONY D

ART UNIT	PAPER NUMBER
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3729

DATE MAILED: 08/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/750,017

Applicant(s)

SHEU ET AL.

Examiner

A. Dexter Tugbang

Art Unit

3729

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) 9-16 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election with traverse of the invention of Group I, Claims 1-8 in the reply filed on May 5, 2006 is acknowledged. The traversal is on the ground(s) that the field of search would be co-extensive for all of the inventions of Group I through III and that there would be no burden to search and examine all of the inventions. This is not found persuasive because while the applicant(s) note that the searches would be co-extensive between Groups I through III, the applicant(s) are making this statement based on the similar features recited in each of Groups I, II and III. The examiner's position is that the searches would be non-coextensive based on the dissimilar features, or distinct features, recited in each of Groups I, II and III as noted in paragraphs 2 and 4 of the last Office Action (Restriction Requirement, dated March 20, 2006). It is these distinct features that make each invention patentably distinct and would require a burdensome search on the examiner.

The requirement is still deemed proper and is therefore made FINAL.

2. Claims 9-16 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b), as being drawn to a nonelected invention, there being no allowable generic or linking claim. Applicant timely traversed the restriction (election) requirement in the reply filed on May 5, 2006.

### ***Claim Objections***

3. Claims 1 and 7 are objected to because of the following informalities.

In Claim 1, the term "its" (line 7) should be replaced with --an--.

In Claim 7, the phrase of --the tool-- should be inserted before “through” (line 3).

Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1 through 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Jeong 6,163,439.

Jeong discloses a method comprising: mounting a single head assembly in a baseplate of a hard disk drive, the single head assembly comprising an actuator arm (e.g. 48), a suspension (e.g. 50), a head (e.g. 52), a motor (e.g. 80) with the head positioned close to the motor; mounting the disk on the motor in the baseplate (col. 3, lines 36-38); loading the head to a parking zone of the disk (col. 4, lines 55-58); biasing the suspension from an original position with a mounting tool (e.g. 10); and releasing the suspension (col. 5, lines 30-35).

Regarding Claim(s) 2 through 5, Jeong further teaches that the mounting tool biases the suspensions from the original position by widening a gap or space between each suspension (col. 4, lines 60-65), where the structure of the tool also includes a cantilever arm (e.g. top 18f in Fig. 3) and a pressing head (e.g. 18a) from a distal end of the cantilever arm to exert a force on the suspension and a supporting rod (e.g. bottom 18f) at another distal end thereof. The supporting rod is capable of being vertically movable and rotatable.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jeong in view of Schmitz 5,235,482.

Jeong discloses the claimed manufacturing method as relied upon above in Claims 1 and

2. Jeong does not teach that the baseplate defines a slot.

Schmitz shows that a baseplate (e.g. 102 in Fig. 3) with various slots (e.g. 314, 310 or 320) which support the disk drive and suspensions. The slot sizes of the baseplate of Schmitz are capable of corresponding to any mounting tool.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the baseplate of Jeong to forming at least one slot, as taught by Schmitz, to advantageously support the suspension.

***Allowable Subject Matter***

8. Claims 7 and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 3729

***Conclusion***

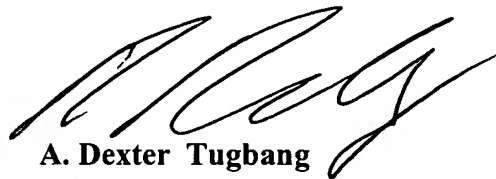
9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to A. Dexter Tugbang whose telephone number is 571-272-4570.

The examiner can normally be reached on Monday - Friday 8:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on 571-272-4690. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
**A. Dexter Tugbang**  
**Primary Examiner**  
**Art Unit 3729**

July 24, 2006